

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**CHARLESTON DIVISION**

CRYSTAL F.,

Plaintiff,

v.

CIVIL ACTION NO. 2:23-cv-00612

MARTIN J. O'MALLEY,  
*Commissioner of Social Security,*

Defendant.

**MEMORANDUM OPINION AND ORDER**

By *Standing Order* (Document 3) entered on September 15, 2023, this action was referred to the Honorable Omar J. Aboulhosn, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). On January 24, 2024, the Magistrate Judge submitted a *Proposed Findings and Recommendation* (Document 9) wherein it is recommended that this Court deny the Plaintiff's request for remand (Document 7), grant the Defendant's request to affirm the decision of the Commissioner (Document 8), affirm the final decision of the Commissioner, and dismiss this matter from the Court's docket.

Objections to the Magistrate Judge's *Proposed Findings and Recommendation* were due by February 7, 2024, and none were filed by either party. The Court is not required to review, under a *de novo* or any other standard, the factual or legal conclusions of the magistrate judge as

to those portions of the findings or recommendation to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149-50 (1985); *see also Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983) (holding that district courts may adopt proposed findings and recommendations without explanation in the absence of objections).

Accordingly, the Court **ADOPTS** and incorporates herein the findings and recommendation of the Magistrate Judge as contained in the *Proposed Findings and Recommendation*, and **ORDERS** that the Plaintiff's request for remand (Document 7) be **DENIED**, the Defendant's request to affirm the decision of the Commissioner (Document 8) be **GRANTED**, the final decision of the Commissioner be **AFFIRMED**, and this matter be **DISMISSED** from the Court's docket.

The Court **DIRECTS** the Clerk to send a certified copy of this *Memorandum Opinion and Order* to Magistrate Judge Aboulhosn, counsel of record, and any unrepresented party.

ENTER: February 8, 2024



IRENE C. BERGER

UNITED STATES DISTRICT JUDGE  
SOUTHERN DISTRICT OF WEST VIRGINIA